Docket No. DEP670

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kimberly Ann Dwyer, PhD. et al

Serial No. : Art Unit:

Filed : Examiner:

For : Assembly Tool for Modular Implants And

Associated Method

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June 25, 2003

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John S. Wagley

(Name of person depositing this document)

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John S. Wagley
June 25, 2003
(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information M Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. П In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with \(\square\$ the first or | Second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-0750/DEP670/JSW the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with §1.97(e) \Box (attached); or

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| | /JSW the fee of \$180.00 as set forth in |
| | §1.17(p). |
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| Disclosure Stat | tement is being filed after the mailing date of |
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| Applicant(s) he | ereby petition(s) for consideration of this |
| Information Dis | sclosure Statement. Included are: Statement in |
| Accordance with | n §1.97(e) as set forth below and the fee of |
| \$180.00 as set | forth in §1.17(p). |
| attached Form I | es of each of the references listed on the PTO-1449 are enclosed herewith. es of references listed on the attached Form PTO- sed herewith EXCEPT THAT: |
| | In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. |
| | If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request. |
| Th | ere are no listed references which are not in the |
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 \square The relevance of those listed references which are not in the English language is as follows: The relevance of those references can be ascertained by reference to the English Abstract and to the drawings. П Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP670/JSW. This form is submitted in triplicate. Respectfully submitted, Reg. No. 36,043 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (574) 372-7332 DATED: June 25, 2003 - 4 -

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0551-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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| Application Number | |
| Filing Date | June 25, 2003 |
| First Named Inventor | Kimberly Ann Dwyer, PhD. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | DEP670 |

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| | | First Named | | Kimberly Ann Dwyer PhD. |
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| Application Number | |
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| Filing Date | June 25, 2003 |
| First Named Inventor | Kimberly Ann Dwyer PhD. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | DEP670 |

Date of Publication Foreign Patent Document Pages, Columns, Lines, of Cited Document where relevant passages or relevant Name of Patentee or mm-dd-yyyy Applicant of Cited Document figures appear Number⁴ KindCode⁵ wo ARTOS MEDIZINISCHE 05-30-1996 96/15739 PRODUKTE GMBH

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¹ Unique citation designation number, 2 Applicant is to place a check mark here if English language Translation is attached.

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(Date of Deposit)

John S. Wagley

(Name of person depositing this document)

(Signature) John S. Wagley June 25, 2003 (Date of Signature)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 3

5,976,147

| Application Number | |
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| Examiner Name | |
| Attorney Docket Number | DEP670 |

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| STATEMENT BY APPLICANT | | - | | | Application N | iumper |] | |
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| First Named Inventor Kimberly Ann Dwyer PhD. | | Sileet 2 0 | 1 3 | | Filing Date | | Ju | ne 25 2003 |
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| Application Number | |
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| Filing Date | June 25, 2003 |
| First Named Inventor | Kimberly Ann Dwyer PhD. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | DEP670 |

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| Examiner Cite Initials No.1 | | Foreign Patent Document | Name of Patentee or | Date of Publication of Cited Document | Pages, Columns, Lines, where relevant | | | |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kimberly Ann Dwyer, PhD. et al

Serial No. : Art Unit:

Filed : Examiner:

For : Assembly Tool for Modular Implants And

Associated Method

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Dear Sir:

1.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application

In accordance with §1.97(b), since this Information

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(other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. \Box In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with | the first or Second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or П Please charge Deposit Account No. 10-0750/DEP670/JSW the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: П Statement in Accordance with §1.97(e) (attached); or

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| Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT: | |
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 \mathbf{x} The relevance of those listed references which are not in the English language is as follows: The relevance of those references can be ascertained by reference to the English Abstract and to the drawings. Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP670/JSW. This form is submitted in triplicate. Respectfully submitted, JOHN S. WAGLEY Reg. No. 36,043 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (574) 372-7332 DATED: June 25, 2003

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Application Number | |
| Filing Date | June 25, 2003 |
| First Named Inventor | Kimberly Ann Dwyer, PhD. |
| Group Art Unit | |
| Examiner Name | |
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| | Filing Date | June 25, 2003 |
| | First Named Inventor | Kimberly Ann Dwyer PhD. |
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| | Examiner Name | |
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| First Named Inventor | Kimberly Ann Dwyer PhD. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | DEP670 |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kimberly Ann Dwyer, PhD. et al

Serial No. : Art Unit:

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For : Assembly Tool for Modular Implants And

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a centinued presentation application application)

(other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with | the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or П Please charge Deposit Account No. 10-0750/DEP670/JSW the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with §1.97(e) (attached); or

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| | Please charge Deposit Account No. 10-0750/DEP670 /JSW the fee of \$180.00 as set forth in §1.17(p). |
| | In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of §180.00 as set forth in §1.17(p). |
| | Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT: |
| | In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. |
| | If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request. |
| | There are no listed references which are not in the English language. |

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The relevance of those listed references which are not in the English language is as follows: The relevance of those references can be ascertained by reference to the English Abstract and to the drawings. Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP670/JSW. This form is submitted in triplicate. Respectfully submitted, JOHN S. WAGLEY Reg. No. 36,043 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (574) 372-7332 DATED: June 25, 2003

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 3

| Application Number | |
|------------------------|-----------------------------|
| Filing Date | June 25, 2003 |
| First Named Inventor | Kimberly Ann Dwyer, PhD. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | DEP670 |

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| | | Filing Date | | June 25, 2003 |
| | | First Named Inve | entor | Kimberly Ann Dwyer PhD. |
| | | Group Art Unit | | |
| | | Examiner Name | | |
| | | Attorney Docket | | DEP670 |
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 3 of 3

| Application Number | |
|------------------------|-------------------------|
| Filing Date | June 25, 2003 |
| First Named Inventor | Kimberly Ann Dwyer PhD. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | DEP670 |

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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | | | | | |
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| Examiner | Date |
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t Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.